

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

RALEIGH-DURHAM AIRPORT AUTHORITY
(a/k/a RALEIGH DURHAM INTERNATIONAL
AIRPORT),

Plaintiff,
vs.

WARD TRANSFORMER COMPANY, INC.; BBC I,
LLC; THE STATE OF NORTH CAROLINA;
PROGRESS ENERGY, INC. (d/b/a CAROLINA
POWER & LIGHT COMPANY); THE UNITED
STATES OF AMERICA; THE UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY;
UNKNOWN PERSONAL REPRESENTATIVES,
HEIRS, AND DEVISEES OF ROBERT E. WARD,
JR., AND WIFE, VIRGINIA P. WARD; WAKE
COUNTY DEPARTMENT OF TAX
ADMINISTRATION; YOUNG MOORE AND
HENDERSON, P.A.; ROBERT E. WARD, III
INDIVIDUALLY AND AS TRUSTEE OF THE
GST OVERFLOW TRUST, AS HEIR AND
SUCCESSOR IN INTEREST TO THE
INTERESTS HELD BY ROBERT E. WARD, JR.
AND WIFE, VIRGINIA P. WARD IN THE DEEDS
OF TRUST RECORDED AT BOOK 5407, PAGE
855 AND 858 OF THE WAKE COUNTY, NORTH
CAROLINA, REGISTER OF DEEDS, and THOSE
CERTAIN LANDS CONTAINING
APPROXIMATELY 12.23 ACRES AND LYING
AND BEING IN CEDAR FORK TOWNSHIP,
WAKE COUNTY, NORTH CAROLINA, AND
BEING MORE PARTICULARLY DESCRIBED AS
FOLLOWS: BEING ALL OF LOT 1,
CONTAINING 9.272 ACRES, MORE OR LESS
AND LOT 2, CONTAINING 2.50 ACRES, MORE
OR LESS, AS SHOWN ON MAP ENTITLED
"RECOMBINATION PLAT FOR WARD
TRANSFORMER COMPANY, INC." RECORDED
IN BOOK 1999, PAGE 1944, WAKE COUNTY
REGISTRY, REFERENCE TO WHICH IS

Case No. 5:19-cv-304-D

**ORDER JOINING
SUBJECT PROPERTY AS
PARTY DEFENDANT AND
AMENDING CAPTION**

HEREBY MADE FOR A MORE ACCURATE DESCRIPTION BY METES AND BOUNDS AND FURTHER ALSO AND BEING MORE PARTICULARLY DESCRIBED BY THE BOUNDARY SURVEYS PREPARED BY MCKIM & CREED, INC. DATED MARCH 9, 2018 AND MARCH 12, 2018 ATTACHED HERETO AS ATTACHMENTS 1 AND 2. ALSO, BEING THE PROPERTY CONVEYED TO WARD TRANSFORMER CO., INC. BY DEEDS RECORDED IN BOOK 1695, PAGE 73, BOOK 1730, PAGE 140, BOOK 1910, PAGE 462, BOOK 1830, PAGE 457 AND BOOK 13509, PAGE 1806, WAKE COUNTY REGISTRY AND IDENTIFIED AS TAX PARCEL ID # 0074293 AND PIN #0768731351 (6730 MT. HERMAN ROAD, RALEIGH, NC 27560) AND TAX PARCEL ID #0316138 AND PIN #0768723932 (6800 MT. HERMAN ROAD, RALEIGH, NC 27560).

Defendants.

This matter is before the Court on Plaintiff's motion to add the property that is subject to this condemnation action as a party defendant and to amend the caption of the case to so reflect. The Court, in exercise of its discretion and proceeding under Federal Rule of Civil procedure 71.1(c)(1), hereby **GRANTS** the Plaintiff's motion.

IT IS HEREBY ORDERED that the property described below is added as a party defendant in this action:

Those certain lands containing approximately 12.23 acres and lying and being in Cedar Fork Township, Wake County, North Carolina, and being more particularly described as follows:

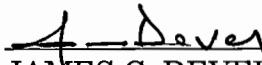
Being all of Lot 1, containing 9.272 acres, more or less and Lot 2, containing 2.50 acres, more or less, as shown on map entitled "Recombination Plat for Ward Transformer Company, Inc." recorded in Book 1999, Page 1944, Wake County Registry, reference to which is hereby

made for a more accurate description by metes and bounds and further also and being more particularly described by the boundary surveys prepared by McKim & Creed, Inc. dated March 9, 2018 and March 12, 2018 attached hereto as Attachments 1 and 2.

Also, being the property conveyed to Ward Transformer Co., Inc. by deeds recorded in Book 1695, Page 73, Book 1730, Page 140, Book 1910, Page 462, Book 1830, Page 457 and Book 13509, Page 1806, Wake County Registry and identified as Tax Parcel ID # 0074293 and PIN #0768731351 (6730 Mt. Herman Road, Raleigh, NC 27560) and Tax Parcel ID #0316138 and PIN #0768723932 (6800 Mt. Herman Road, Raleigh, NC 27560).

AND IT IS FURTHER ORDERED that the caption of this civil action is hereby amended to reflect the caption of this Order.

SO ORDERED, this 30 day of January, 2020.



JAMES C. DEVER III
United States District Judge